

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JENNIFER PEAT, JEFFERSON MEIGHAN JR., ELAN
COHEN, DALLAS CARTER, GARRETT O'CONNOR,
BRENDON SULLIVAN-MONSON, CHRISTOPHER
BRANNON, ATHENA SOULES, SAMANTHA
ALLEGRA FRIERSON, ZACHARY UNNINGHAM,
MATTHEW BOLAND, NEGESTI CANTAVE,
ELIZABETH ARCE, and OSCAR WHELAN,

**Stipulation of Settlement and
Order of Attorneys' Fees,
Expenses and Costs**

Plaintiffs,

12CV8230 (SAS) (HBP)

-against-

THE CITY OF NEW YORK, a municipal entity, CHIEF
OF PATROL JAMES P. HALL, DEPUTY INSPECTOR
DANIEL MULLIGAN, CAPTAIN WILLIAM
GARDNER, CAPTAIN WILLIAM TAYLOR,
LIEUTENANT BESSLER, SERGEANT AMBER
CAFARO, SERGEANT MATTHEW FERRIGNO,
SERGEANT VINCENT GIAMBRONE, SERGEANT
JOSEPH MILLER, SERGEANT ADAM TORRES,
POLICE OFFICER MATTHEW BREHM, POLICE
OFFICER ODED ELIAV, POLICE OFFICER JEFFREY
FITZGERALD, POLICE OFFICER JESSICA GALVIN,
POLICE OFFICER SAUL GUZMAN, POLICE OFFICER
KONTARINIS, POLICE OFFICER DAVID LAURIA,
POLICE OFFICER TANYA MONROE, POLICE
OFFICER CHRISTOPHER PERKINS, POLICE
OFFICER OSCAR POLANCO, AND "John Doe"
POLICE OFFICERS 1-30,

Defendants.

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WHEREAS, plaintiffs commenced this action by filing a complaint on or about
November 13, 2012, alleging that the defendants violated plaintiffs' federal civil and state
common law rights; and

WHEREAS, defendants have denied any and all liability arising out of plaintiffs' allegations; and

WHEREAS, plaintiffs have assigned all of their rights to attorneys' fees, expenses, and costs to their counsel, Stecklow Cohen and Thompson; and

WHEREAS, counsel for defendants and counsel for plaintiffs now desire to resolve the issue of attorneys' fees, expenses, and costs without further proceedings;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York hereby agrees to pay plaintiffs' counsel, Stecklow Cohen and Thompson, the sum of Three Hundred Thirty Three Thousand (\$333,000.00) Dollars in full satisfaction of plaintiffs' attorneys' fees, expenses, and costs. Counsel for plaintiffs hereby agrees and represents that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiffs against defendants in any application for attorneys' fees, expenses, or costs at any time.

2. In consideration for the payment of Three Hundred Thirty Three Thousand (\$333,000.00) Dollars, counsel for plaintiffs agrees to release and discharge the defendants and any present or former employees and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

3. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of

the United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

4. This Stipulation and Order contains all the terms and conditions agreed upon by counsel for defendants and counsel for plaintiff hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of attorneys' fees, expenses, or costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
May 28, 2014

Stecklow Cohen & Thompson
10 Spring Street, Suite 1
New York, New York 10012

By: 

Wylie Stecklow
Attorney for Plaintiff

ZACHARY CARTER
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street,
New York, New York 10007

By: 

Andrew Lucas
Assistant Corporation Counsel

SO ORDERED:

Dated: New York, New York
_____, 2014

HON. SHIRA A. SCHEINDLIN
UNITED STATES DISTRICT JUDGE